

TOWN OF TRURO
BOARD OF SELECTMEN
MEETING OF TUESDAY, MAY 2, 2006

The Truro Board of Selectmen met for their weekly session on Tuesday, May 2, 2006 at 6:00 p.m. at the Truro Town Hall, 24 Town Hall Road, Truro. In attendance were: Chairman Alfred Gaechter, Vice-Chairman Gary Palmer, Christopher R. Lucy, Town Administrator Pamela Nolan, Administrative Secretary Julie DuPree, Trudi Brazil, Nick Brown, Cynthia Slade, Buddy Perkel, Deb Camuso, Tom Nadeau, Joan Holt, Alan Efromson, Martha Nagy, Claire Perry, John Thomas, Steve Desroche of the Cape Codder, and Pru Sowers of the Banner. Lloyd F. Rose and Paul J. Asher-Best were absent.

Mr. Gaechter convened the meeting at 6:00 p.m.

Minutes: Mr. Palmer moved to approve the minutes of the regular session of April 18, 2006 as written. Mr. Lucy seconded it. Vote: 3-0, unanimous.

Mr. Palmer moved to approve the minutes of the regular session and the Executive Session of April 25, 2006 as written. Mr. Lucy seconded it. Vote: 3-0, unanimous.

Public Comment: Nick Brown expressed his disappointment with the lack of support from the BOS for the various articles at ATM. He said there was plenty of guilt to go around and the Planning Board accepted its share for the lack of communication with townspeople, but all need to look harder at themselves. It was too bad that all the hard work had to go down in flames for a lack of leadership. Mr. Gaechter agreed the process needed looking at. He thought part of the problem was that the BOS reviewed the articles so far in advance of ATM, and got input only from the boards involved, and didn't hear public comments. But he said it was the right of anyone to change their votes. He had even asked Town Counsel if it was legal to do so, and she said it was. He would speak more on this issue later this evening. Mr. Brown added that the BOS liaison to the Planning Board has been absent for months and months and months, and the Planning Board would like the liaison to attend at least their public hearings.

Curb Cut: The Board received an application from Mr. Nadeau for a curb cut at 10 Perry Road. The application is for a driveway for a three-bedroom dwelling. Mr. Gaechter noted that both DPW Director Morris and Chief Thomas have signed off on this. **Mr. Gaechter moved to approve the application as submitted. Mr. Lucy seconded it. Vote: 3-0, unanimous.**

Invoice for Assessor's Online Data: The invoice for \$9,625.00 from Paul S. Kapinos & Associates was higher than originally estimated, and only \$5k was budgeted. After subtracting what has already been spent and what has to be paid for from the BOS Purchase of Services Account, there will be a balance of \$5,238.14. Ms. Brazil recommended that the \$4,625.00 to pay the balance of this invoice should be taken from that account. **Mr. Gaechter moved to allow the Town Accountant to use unencumbered monies in the BOS General Services Account. Mr. Lucy seconded it. Vote: 3-0, unanimous.**

County Surplus Funds: Ms. Brazil asked the BOS for authorization to put \$2,291.88 of the County Surplus Funds towards the invoice for the dredge work done this year at Pamet Harbor. **Mr. Gaechter moved to agree with the proposal from the Town Accountant to use County**

surplus funds to offset the cost of the dredging of Pamet Harbor. Mr. Palmer seconded it. Vote: 3-0, unanimous.

FY2007 Budget Discussion: Ms. Brazil went over key points with the BOS. The deficiency now stands at \$77,665.21. If the over-ride does not pass, she will need to come back to discuss what cuts need to be made. Mr. Gaechter asked if the \$64k that is available in the School budget could be used towards the \$77k. She told him that it already is.

County Fuel Oil Bid: Ms. Brazil explained that this year the County had awarded the bid at \$2.41 even though the lowest bid was \$2.292. The low vendor had indicated to them that unless he received the entire bid, he couldn't honor that price. The County felt that was not reasonable and so did not award to the low bidder. The town is not obligated to accept the County bid, however, and she asked for BOS approval to ask that vendor for his assurance in writing that he would charge the town his low bid amount. **Mr. Gaechter moved to authorize negotiations between the town and Vendor X. Mr. Lucy seconded it. Vote: 3-0, unanimous.**

Temporary Debt Issues: Ms. Slade explained that two notes are up for renewal (CC project and Poor Property) and there is one new one (CC project). She solicited bids from three banks and the low bidder on all three was Seamens Bank. She requested the BOS approval for the sale of the three notes to Seamens Bank. **Mr. Gaechter so moved. Mr. Palmer seconded. Vote: 3-0, unanimous.**

NPS Cooperative Agreement: Chief Prada explained that we are in the second year of this three-year Cooperative Fire Protection and Emergency Medical Services Agreement. It needs to be signed by the Chair of the BOS. **Mr. Palmer moved to approve the agreement. Mr. Gaechter seconded it. Vote: 3-0, unanimous.**

EMS Service Zone Plan: Chief Prada explained that MGL requires each town to submit a written plan to the MA Dept of Health by December 1, 2006. It has been decided to submit a single plan for Barnstable County, and he is representing Truro, Eastham, Wellfleet and Provincetown on the County-wide planning committee. The BOS must approve the final plan; he will bring it to them for review as they complete various parts of the plan.

Police Appointments: Chief Thomas explained that currently he has two part-time dispatchers. He is currently advertising for part-time dispatchers on the website. It is hard to get people to commit their time and get the necessary training. **Mr. Gaechter moved to authorize the appointment of Barbara Russell as a part-time dispatcher. Mr. Lucy seconded it. Vote: 3-0, unanimous.**

NPS Special Police Officer: The NPS has recently assigned Aaron Titus to the North District. **Mr. Gaechter moved to authorize the appointment of Special Police Officer Aaron Titus. Mr. Palmer seconded it. Vote: 3-0, unanimous.**

Proclamation: Peace Officers' Memorial Day: Chief Thomas requested that the Board sign

the proclamation of May 15th as Peace Officers' Memorial Day, and May 14-20 as Police Week. **Mr. Gaechter moved to sign the proclamation. Mr. Lucy seconded it. Vote: 3-0, unanimous.**

Police Federation Contract: Chief Thomas reported that the negotiated changes to the Federation contract have been made; one more signature from the Federation is needed. He requested that the BOS sign the contract, and after he obtains the one remaining signature, he will return an original to Town Hall.

ATM Follow-up: Mr. Gaechter noted that there is still a majority (56%) of the town that wants a Community Center and is willing to spend extra money on one. He outlined the five points he feels the BOS should give to the TBC as guidance for how they should proceed:

1. The project should proceed as quickly as possible.
2. It should continue as a Community Center.
3. It should be built with what previously approved money remains.
4. We need to control architect fees.
5. Quality should not be sacrificed for square footage.

Mr. Gaechter noted that there is \$3.4 million left, and he feels they should not go back to Town meeting for additional funds. Mr. Palmer added two additional points: The BOS would not approve a plan that includes a list of "we'll do this later" items, and the TBC should refine the plan substantially before sending it on to the architect. Ms. Nagy told the BOS that the TBC agree with this and feel it is the practical way to go. They are working on plans and will do exactly what is proposed. They plan to meet weekly and more if they need to. After further discussion, **Mr. Gaechter moved to accept the seven points and put them in a memorandum to be drafted by the Chair for the BOS to sign. Mr. Palmer seconded it. Vote: 3-0, unanimous.**

Article 8: Mr. Gaechter directed Ms. Nolan to see that they get quarterly reports on the Cobb Library restoration project.

Article 9: Ms. Nolan was to follow-up on this article--the criteria the BOS set for the expenditure of these funds for highway signs.

Article 22: Ms. Nolan will also draft the approved resolution re: Mashpee Indians.

Article 25: The Board discussed meeting jointly with ConsCom regarding the bylaw. Mr. Gaechter directed Ms. Nolan to communicate in a memo to ConsCom, and indicating if they see an advantage to it, the BOS would like to hold a joint session.

Article 28: Ms. Nolan is to forward this resolution to the appropriate representatives.

Articles 29-38: Ms. Nolan is to do a similar memorandum to the Planning Board regarding a joint session.

Mr. Gaechter stated that he believes we as a town are not getting information out to the town in advance on potentially contentious articles. He doesn't see how to do this, but the TBC brochure may be a sample, as well as looking at the format of the Warrant. He feels the failure of some articles was due to a lack of adequate information. He proposes the BOS over the next nine months or so looks at this issue. Mr. Palmer suggested that any publication should contain both pros and cons of an issue. Ms. Nolan was directed to see what the guidelines are in doing this--

can only impartial analysis of an article be given, or can they give both pro and con of an issue. He also directed her to contact the Chair of the TNA to see if they would give financial support to such a publication. Mr. Lucy said that something needs to be done about a better sound system. Mr. Gaechter said he and Ms. Nolan are meeting with Mr. Davis tomorrow and would also discuss that. Mr. Perkel, a member of the CAC, reminded the BOS that there is money obtained through the Cable TV contract to be used for just such a purpose. Ms. Nolan noted that those funds also pay for the videographer.

Recycling Policy for Town Buildings: Ms. Nolan presented a draft policy prepared by Mr. Sanguinet. Mr. Gaechter noted a few typos and spelling errors and that subsection 2 appeared in each section, and since it was exactly the same, it only needed to be included once. Ms. Nolan was directed make the corrections.

Contract with Paul S. Kapinos and Associates: The Deputy Assessor has requested that the Board approve this agreement for appraisal/consultant services. **Mr. Gaechter moved to sign the contract with Kapinos for assessors work. Mr. Palmer seconded it. Vote: 3-0, unanimous.**

Town Administrator's Report: (action items)

- Outlined her timeline and process for hiring an ATA/Planner. She has asked Mr. Brown, Ms. Kadar and the Town Administrator from Eastham to sit in on the interviews with her, but Ms. Kadar is going to be away for two weeks, so she will not be able to. Mr. Palmer noted that last time the BOS appointed a committee to review the resumes and he found that useful. Mr. Gaechter cautioned that it not be skewed entirely by Planning. Mr. Lucy thought the interview team should be kept as it is; it is the Town Administrator's decision. Ms. Nolan will look for one more person to help her, and the consensus was that it be someone from one of the regulatory boards. Mr. Gaechter directed Ms. Nolan to inform the BOS when she has decided who that will be.
- Informed the Board that a rededication ceremony at the Highland Lighthouse will be held July 10th and the BOS have been invited. The Highland Museum and Lighthouse, Inc. have also requested that a member address the gathering. Mr. Gaechter directed Ms. Nolan to inform them that he would speak.
- The NPS/CCNS is developing condition reports by reviewing their cultural landscaping and preservation maintenance plans for the Highland Links. Ms. Nolan was directed to keep the BOS aware of any hearings.
- The draft environmental impact statement for the hunting program at CCNS is available in her office. The Board agreed that they wanted to comment on it, and Mr. Palmer volunteered to go through the statement and prepare a synopsis for the BOS to review. It should be made an agenda item before the first public meeting scheduled for June 8th.
- Drafted a letter to MAHighway for the cultural non-profits signs; it is in the signature file. Mr. Gaechter wants to re-write it.

Selectmen/Liaison Reports: (action items)

Gaechter: -Read a prepared statement on the reasoning he used in his vote to appoint the

members of the BOFE and not reappoint Mr. Childs. He noted that his statement had been reviewed by Town Counsel, and both Mr. Lucy and Mr. Palmer had reviewed his statement and were in agreement with its contents. His complete statement is attached for the record. Mr. Palmer said he had reviewed the statement and associates himself with it. **He moved that this be the complete and final statement on this matter. Mr. Lucy seconded. Vote: 3-0, unanimous.**

Next week's agenda: Mr. Gaechter moved not to meet on Election Day. Mr. Lucy seconded it. Vote: 3-0, unanimous.

At 7:34 p.m. Mr. Gaechter moved to convene in Executive Session under the provisions of MGL Chapter 39, Section 23B to discuss matters of negotiation and personnel and to not reconvene in Open Session. Roll Call Vote: Palmer, aye; Gaechter, aye; Lucy, aye. 3-0, unanimous.

Alfred Gaechter, Chairman

Gary Palmer, Vice-Chairman

Christopher R. Lucy

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